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**ATTORNEYS FOR APPELLANT,
S. TUCKER JOHNSON**

FILED

OCT 23 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

**IN THE SUPREME COURT OF THE STATE OF MONTANA
Case No. DA 09-0487**

VALERIE EMMERSON,

Petitioner and Appellant,

vs.

WALLACE C. WALKER and RANA
RAE WALKER,

Respondents and Appellees.

WALLACE C. WALKER and RANA
RAE WALKER,

Third-Party Plaintiffs and Appellees,

vs.

S. TUCKER JOHNSON,

Third-Party Defendant and Appellant.

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**APPELLANT TUCKER
JOHNSON'S UNOPPOSED
MOTION FOR
EXTENSION OF TIME TO
FILE OPENING BRIEF**

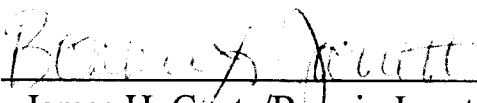
Pursuant to Rule 26(1), M.R. App. P., Appellant Tucker Johnson, through his counsel of record, respectfully moves this Court for and Order granting Appellant one thirty-day extension of time in which to file his opening brief. Appellant's opening brief is currently due to be filed on Monday, November 2, 2009. Granting Appellant one thirty-day extension of time in which to file his opening brief would give Appellant up to and including Wednesday, December 2, 2009, in which to file and serve his opening brief.

This is Appellant's first motion for an extension of time. Opposing counsel have been contacted, and they state they have no objection to this motion.

A proposed Order is submitted herewith.

RESPECTFULLY SUBMITTED this 22nd day of October 2009.

GOETZ, GALLIK & BALDWIN, P. C.

By: 
James H. Goetz/Bonnie Jarrett

**ATTORNEYS FOR APPELLANT,
S. TUCKER JOHNSON**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served on the following counsel of record, by the means designated below, this 22nd day of October, 2009.

- ☐ U.S. Mail
- ☐ Federal Express
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